

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

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ERIC H. COTA and GERALDINE COTA,)

Plaintiffs)

v.)

ARTHROCARE CORPORATION and)
SURGI-CARE, INC.,)

Defendants.)

United States District Court
Docket No.: 2:05-cv-19

STIPULATION OF DISMISSAL WITH PREJUDICE

Now Come the plaintiffs Eric H. Cota and Geraldine Cota by and through their attorney, Tina L. Shoup, Esq., and the Defendant ArthroCare Corporation, by and through its attorney, Bret P. Powell, Esq. and hereby stipulate pursuant to F.R.Civ. P. 41(a)(ii) that the above-captioned civil action is here DISMISSED WITH PREJUDICE.

Dated at Burlington, Vermont this 12th day of ~~September~~ ^{December}, 2006.

ERIC H. COTA and GERALDINE COTA

By: Tina L. Shoup
Tina L. Shoup, Esq.
O'Neill Kellner & Green, P.C.
159 Bank Street
P.O. Box 5359
Burlington, VT 05402-5359

Dated at Williston, Vermont this 25th day of September, 2006.

ARTHROCARE CORPORATION

By: Bret P. Powell

Bret P. Powell
400 Cornerstone Drive, Suite 240
Williston, Vermont 05495
Telephone: 802-878-1500
FAX: 802-878-1539
Attorney for Arthrocare Corporation

ORDER

The foregoing Stipulation is hereby APPROVED and SO ORDERED. This action is hereby DISMISSED WITH PREJUDICE.

Dated at Burlington, Vermont this 4 day of Dec, 2006.

William J. Donovan
United States District Court Judge

4878.002\pleadings\stip dismissal with prejudice & order 9.25.06